

**PTO FEE TRANSMITTAL**  
MAY 25 2001  
Patent fees are subject to annual revision.

|                         |       |
|-------------------------|-------|
| TOTAL AMOUNT OF PAYMENT | \$130 |
|-------------------------|-------|

**Complete if Known**

|                        |                           |
|------------------------|---------------------------|
| Application Number     | 09/719,485                |
| Filing Date            | December 12, 2000         |
| First Named Inventor   | Feighner, Scott D. et al. |
| Examiner Name          |                           |
| Group Art Unit         |                           |
| Attorney Docket Number | 20251P                    |

**METHOD OF PAYMENT (Check one)**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 13-2755

Deposit Account Name: Merck & Co., Inc.

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. ☐ Payment Enclosed:

☐ Check ☐ Money Order ☐ Other

**FEE CALCULATION**

**1. BASIC FILING FEE**

| Large Fee Code     | Entity Fee (\$) | Fee Description        | Fee Paid |
|--------------------|-----------------|------------------------|----------|
| 101                | 710             | Utility filing fee     |          |
| 106                | 320             | Design filing fee      |          |
| 108                | 710             | Reissue filing fee     |          |
| 114                | 150             | Provisional filing fee |          |
| <b>SUBTOTAL(1)</b> |                 |                        | \$0      |

**2. EXTRA CLAIM FEES**

|                           | Extra | Fee from below | Fee Paid |
|---------------------------|-------|----------------|----------|
| Total Claims              | 20    | 0              | 0        |
| Independent Claims        | 3     | 0              | 0        |
| Multiple Dependent Claims |       |                |          |

*\*\*or number previously paid, if greater; For Reissues, see below*

| Large Fee Code     | Entity Fee (\$) | Fee Description   | Fee Paid |
|--------------------|-----------------|---|----------|
| 103                | 18              | Claims in excess of 20                                    |          |
| 102                | 80              | Independent claims in excess of 3                         |          |
| 104                | 270             | Multiple dependent claim, if not paid                     |          |
| 109                | 80              | **Reissue independent claims over original patent         |          |
| 110                | 18              | **Reissue claims in excess of 20 and over original patent |          |
| <b>SUBTOTAL(2)</b> |                 |   | \$0      |

**3. ADDITIONAL FEES**

| Large Fee Code      | Entity Fee (\$) | Fee Description  | Fee Paid |
|---------------------|-----------------|--|----------|
| 105                 | 130             | Surcharge - late filing fee or oath  | 130      |
| 147                 | 2,520           | For filing a request for reexamination                                     |          |
| 115                 | 110             | Extension for reply within first month                                     |          |
| 116                 | 390             | Extension for reply within second month                                    |          |
| 117                 | 890             | Extension for reply within third month                                     |          |
| 118                 | 1,390           | Extension for reply within fourth month                                    |          |
| 128                 | 1,890           | Extension for reply within fifth month                                     |          |
| 119                 | 310             | Notice of Appeal   |          |
| 120                 | 310             | Filing a brief in support of an appeal                                     |          |
| 121                 | 270             | Request for oral hearing   |          |
| 140                 | 110             | Petition to revive - unavoidable   |          |
| 141                 | 1,240           | Petition to revive - unintentional   |          |
| 142                 | 1,240           | Utility issue fee (or reissue)   |          |
| 143                 | 440             | Design issue fee   |          |
| 122                 | 130             | Petitions to the Commissioner  |          |
| 123                 | 50              | Petitions related to provisional applications                              |          |
| 126                 | 180             | Submission of Information Disclosure Statement                             |          |
| 581                 | 40              | Recording each patent assignment per property (times number of properties) |          |
| 146                 | 710             | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 149                 | 710             | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 179                 | 710             | Request for Continued Examination (RCE)                                    |          |
| Other fee (specify) |                 |  |          |
| Other fee (specify) |                 |  |          |
| <b>SUBTOTAL(3)</b>  |                 |  | \$130    |

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| SUBMITTED BY          |                 |  |  | Complete (if applicable) |        |
|-----------------------|-----------------|--|--|--------------------------|--------|
| Typed or Printed Name | Anna L. Cocuzzo |  |  | Reg. Number              | 42,452 |
| Signature             |                 |  |  | Deposit Account User ID  |        |
| Date                  | 05/23/2001      |  |  |                          |        |

Application Number: 09/719,485  
Filing Date: 12/12/2000  
First Named Inventor: Feighner, Scott D. et al.  
Group Art Unit: \_\_\_\_\_  
Examiner Name: \_\_\_\_\_  
Attorney Docket Number: 20251P

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**FIRST CLASS MAIL CERTIFICATE**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON THE DATE APPEARING BELOW.

**MERCK & CO., INC.**

MAILED BY



DATE

May 23, 2001

Application Number: 09/719,485  
Filing Date: 12/12/2000  
First Named Inventor: Feighner, Scott D. et al.  
Group Art Unit: \_\_\_\_\_  
Examiner Name: \_\_\_\_\_  
Attorney Docket Number: 20251P

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May 23, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.

09/719485

FIRST NAMED APPLICANT

FEIGHNER

ATTY. DOCKET NO.

S

20251P

INTERNATIONAL APPLICATION NO.

PCT/US99/12773

I.A. FILING DATE

PRIORITY DATE

08 JUN 99

12 JUN 98

MERCK & CO  
PO BOX 2000  
126 EAST LINCOLN AVENUE  
RAHWAY, NJ 07065 0970

JOCKETE

APR 08 2001

BARBARA REH

DATE MAILED 29 MAR 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.   | <input type="checkbox"/> Indication of Small Entity Status.                         |
| <input checked="" type="checkbox"/> Copy of the international application.   | <input type="checkbox"/> Translation of the international application into English. |
| <input checked="" type="checkbox"/> Oath or Declaration of inventors(s).   | <input type="checkbox"/> Translation of Article 19 amendments into English.         |
| <input type="checkbox"/> Copy of Article 19 amendments.  | <input type="checkbox"/> Other:   |
| <input type="checkbox"/> Priority Document.  |   |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |   |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |   |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- |   |   |
|---|---|
| <input type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Copy of the international application. |
|---|---|

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- |  |
|--|
| <input type="checkbox"/> a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.   |
| <input type="checkbox"/> The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.   |
| <input type="checkbox"/> b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  |
| <input checked="" type="checkbox"/> c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date. |
| <input checked="" type="checkbox"/> The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  |
| <input checked="" type="checkbox"/> d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).  |

4. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☒ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

☒ PCT/DO/EO/920

Barbara A. Campbell

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date appearing below.  
By [Signature] MERCK & CO., INC.  
Date 5/23/2001